

From: Estrada, Fabiola
To: Hopkins, Yvette; McWhorter, Scott; Miller, Amy; Miller, Robert; Salazar, Matt; TenBrook, Patti; Wilcoxon, Katy
Cc: Demorest, Allen; Lee, Bill
Subject: FW: Closing Report: 88-STA-19 (Rodenticide Exposure (Prozap Zinc Phosphide Oat Bait (EPA Reg. 61282-14-ZA); Horse Death; Valued at \$25,000-\$30000)
Date: Tuesday, December 17, 2019 12:10:16 PM
Attachments: 88-STA-17 Closing Report (Signed).pdf

From: Leon, Frankie@CDPR <Frankie.Leon@cdpr.ca.gov>
Sent: Tuesday, December 17, 2019 8:50 AM
To: CDPR-Priority Closing <PriorityClosing@cdpr.ca.gov>; miltono <miltono@stancounty.com>
Cc: Amit Sandhu <Amits@stancounty.com>; Wendy Hahn (Wendyh@stancounty.com) <Wendyh@stancounty.com>
Subject: Closing Report: 88-STA-19 (Rodenticide Exposure (Prozap Zinc Phosphide Oat Bait (EPA Reg. 61282-14-ZA); Horse Death; Valued at \$25,000-\$30000)

On December 18, 2017, Stanislaus CAC's office received a complaint about a possible rodenticide exposure to a horse, resulting in death. The owner reported that the horse had sweating and twitching symptoms and had the horse euthanized on December 5, 2017. The owner reported that the horse was a 9-year-old female show horse (Warmblood Jumping Horse) valued at \$25,000 to \$30,000 dollars. The horse was sent out for a necropsy and the toxicological analysis tested positive for zinc phosphide. Stanislaus CAC staff determined that Prozap Zinc Phosphide Oat Bait was used in an almond orchard adjacent to the horse owner's property line. Stanislaus CAC staff determined that the almond orchard property operator had six violations. Stanislaus CAC closed this case as of July 24, 2018.

Francisco Leon
Environmental Scientist
California Department of Pesticide Regulation
Central Regional Office
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STATE OF CALIFORNIA
DEPARTMENT OF PESTICIDE REGULATION
PESTICIDE EPISODE CLOSING REPORT
DPR-ENF-055 (REV. 03/14)
PAGE 1 OF 2

AMENDED? ☐ YES ☒ NO

PAGE 1 OF 2

DPR ENFORCEMENT BRANCH
1001 I STREET, P.O. BOX 4015
SACRAMENTO, CALIFORNIA 95812-4015
www.cdpr.ca.gov

PRIORITY EPISODE NUMBER 88-STA-17	NOTIFICATION DATE 12/18/2017	DATE OF OCCURRENCE 12/05/2017
BRAND NAME OF PESTICIDE/ACTIVE INGREDIENT	REGISTRATION NUMBER FROM LABEL	RESTRICTED USE?
Prozap Zinc Phosphide Oat Bait/ Zinc Phosphide	61282-14-ZA	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN
		<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN
		<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN
		<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN
		<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN

SUMMARY OF FINDINGS (Continue on page 2, if necessary):

On December 18, 2017, Stanislaus CAC's office received a complaint about a possible rodenticide exposure to a horse, resulting in death. The owner reported that the horse was a 9-year-old female show horse (Warmblood Jumping Horse) and was valued at \$25,000 to \$30,000. The horse's veterinarian reported that the horse was exhibiting the following symptoms upon examination: profuse sweating, muscle tremors and twitching, heavy breathing, unwillingness to move, and writhing on the ground. The owner and veterinarian decided to euthanize the horse on that same day, December 5, 2017.

The owner and veterinarian coordinated with the UC Davis Veterinary Medicine, California Animal Health & Food Safety Laboratory for a necropsy and toxicological analysis. The necropsy and toxicology results were positive for zinc phosphide.

On December 18, 2019, Stanislaus CAC staff collected bait along the fence line in an almond orchard adjacent to the horse's owner property and sent it to the California Department of Food and Agriculture Residue Laboratory for testing. The sample tested positive for zinc phosphide.

During the investigation, Stanislaus CAC found that the adjacent almond grower had purchased four bags of Prozap Zinc Phosphide Oat Bait (EPA Reg. #61282-14-ZA). Stanislaus CAC staff determined that one of the bags of Prozap Zinc Phosphide Oat Bait had been used between March 16, 2016 and December 3, 2017. Stanislaus CAC staff observed an eight inch swath of zinc phosphide bait, approximately 126 feet in length, along the almond grower's fence line adjacent to the horse owner's property line; this bait was placed within two feet of the fence line where the aforementioned horse was located.

Stanislaus CAC staff determined that the almond orchard property operator had six violations. This investigation was closed as of July 24, 2018.

PRIORITY EPISODE NUMBER 88-STA-17	NOTIFICATION DATE 12/18/2017	DATE OF OCCURRENCE 12/05/2017
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SUMMARY OF FINDINGS, CONTINUED (Continue on supplemental form DPR-ENF-116, if necessary):

ADMINISTRATIVE CIVIL PENALTY DETAILS (See CA Pesticide Priority Episode Handling Manual):

•FAC 12973: Failure to follow the Precautionary Statements' section and Directions for Use section on the Prozap Zinc Phosphide Oat Bait label

**ACP-INV-50-20171226-129, Fined \$1000.00 on July 6, 2018. Respondent stipulated on July 20, 2018.

OTHER ENFORCEMENT ACTION:

☒ COMPLIANCE ACTION: Violation Notices for 3CCR: 6674, 6623(c), 6624(g), 6434(b), and 6627(a)

☐ REFERRAL: _____

☐ PENDING: _____

INVESTIGATION CONSIDERATIONS / IMPACTS / EFFECTS:

PUBLIC HEALTH	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
GROUND WATER	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
WORKER HEALTH AND SAFETY	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
ENDANGERED SPECIES	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
PRODUCT REGISTRATION	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
CANCELLED / SUSPENDED PESTICIDE	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A

AGENCY NOTIFICATION

U.S. EPA: Ms. Fabiola Estrada

CAC: **Mr. Milton O'Haire**

DIR: **Ms. Amalia Neidhardt**

CDPH: Dr. Justine Weinberg

OEHA: Dr. William Ngai, Dr. James Nakashima

CalEPA:

OTHER:

OTHER:

DATE SENT: **12/17/2019**

DPR ROUTING:

CDPR-Priority Closing Group

REPORT PREPARED BY Frankie Leon	TELEPHONE NUMBER (Include Area Code) 559-297-5418	DATE 12/16/2019
DPR R.O. MANAGER'S SIGNATURE 	TELEPHONE NUMBER (Include Area Code) 559-297-5408	DATE 12/16/2019